

FARMINGTON CITY COUNCIL MEETING

March 4, 2008

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Council Members Richard Dutson, David Hale, Paula A. Alder, Sidney C. Young, Cory Ritz, City Manager Max Forbush, City Planner David Petersen, and Recording Secretary Kami Mahan.

Due to the absence of Mayor Harbertson, **Rick Dutson** acted as Mayor Pro Tem.

Mr. Dutson began discussion at 6:00 p.m. He excused Mayor Harbertson, who was ill. **David Hale** offered the invocation. **Mr. Dutson** asked **Sid Young** to offer the invocation in City Council meeting. The following items were reviewed:

(Agenda Item #6): (Public Hearing): Consideration of Ordinance vacating Lot 41 of Shepard Heights Subdivision and Approval of Amended Plat showing Lot 41 inclusive of a vacated portion of Bella Vista Drive.

Rick Dutson briefly reviewed this item.

(Agenda Item #8): Lot Line Adjustment Request in Farmington Greens Subdivision.

David Petersen said that there is wetland behind Lot #276, but that this fact was separate from the issue under consideration for this Agenda. The Council briefly discussed the wetland area.

(Agenda Item #9): Request by Centerville City for Centerville/Farmington Frontage Road Bike Lane Plan.

The location along the frontage road where the bike lane is proposed was clarified. **David Petersen** said the Planning Commission had recommended approval.

[**Cory Ritz** and Paralegal for America West Developers Kathy Izatt arrived at the meeting at 6:18 p.m.]

Potential Rezone Discussion (Non-Agenda Item)

David Petersen asked the City Council to consider the possible rezoning of property owned by John Hess to accommodate his request for an accessory building. The Council briefly discussed this item.

(Agenda Item #10): Conceptual Plan for Public Works/Parks and Recreation site including metal replacement building and salt storage shed.

Max Forbush explained that the proposal is to construct a 5,000 square foot metal building and salt shed behind the public works building as a replacement to the storage building that is to be purchased and torn down by CenterCal. He reviewed some details of the proposal as shown on the map and the building elevation drawings in the Council packet. **Mr. Forbush** distributed a budget sheet and explained how the project would be funded, which was discussed.

Whether to construct a metal building as opposed to a block building was considered by the Council, as well as the need for earthen berms and landscaping to limit visibility of the site. **Sid Young** raised the possibility of improving the appearance of a metal building by installing a facade material over the metal. Concern was raised about the appearance of the building and site.

It was explained that this proposal is only one of many that affects the capital budget of the City. There was further discussion of the funding and proposed sites for a new City Hall. The need to move forward as quickly as possible on this project was emphasized.

(Agenda Item #12): Culinary Well Siting Draft Report.

Rick Dutson reviewed this Agenda Item, and there was discussion of the Council regarding this issue. **Max Forbush** said estimated cost for drilling even a test well is much higher than expected.

(Agenda Item #13): Minute Motion approving Summary Action List.

- **Ratification of approvals of Construction Bond Agreements.**
- **Approval of January disbursement list.**
- **Approval of Public Improvements Extension Agreement with Brennon and Melinda Rasmussen.**
- **Approval of FY09 Budget Review Schedule.**
- **Approval of City Manager's recommendation on permit fees for Police building.**

These items were briefly reviewed. **Rick Dutson** suggested that Council members verify that the Budget Review dates fit their schedules.

Max Forbush explained the reasons for proposing that certain building permit related fees be waived on the Police Station building permit. He also explained why the impact fees should be paid.

(Agenda Item #16): Authorization to move forward on Woodland Park Improvements.

Max Forbush distributed an aerial photograph proposed and Master Plan for Woodland Park, a Staff Proposal for a Preliminary Budget, and a Park Improvement Impact Fee budget. He reviewed these documents in some detail and said that funding this project is in direct competition with funding the proposed Farmington Ranches neighborhood park. He recommended authorizing only the first phase of the Woodland Park project, and he reviewed which items are included in this phase. **Mr. Forbush** said the list of ideas set forth in the recent Parks, Arts, and Recreation visioning process was for more than the City could afford. He said the City needs to be very selective and wise in choosing only to fund priority items from each project, including the Woodland Park development project.

The meeting adjourned at 6:58 p.m.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Pro Tem Richard Dutson, Council Members David Hale, Paula A. Alder, Sidney C. Young, Cory Ritz, City Manager Max Forbush, Deputy City Recorder Holly Gadd, Recording Secretary Kami Mahan, Police Chief Wayne Hansen, Fire Chief Larry Gregory, Public Works representative Walt Hokanson, Museum Director Annette Tidwell, and Youth City Council Mayor Natalie Selin.

Mayor Pro Tem **Rick Dutson** called the meeting to order at 7:03 p.m. **Sid Young** offered the invocation. The Pledge of Allegiance was led by Paula Alder.

APPROVAL OF MINUTES OF PREVIOUS MEETING. (Agenda Item #2)

The Council reviewed the minutes of the February 19, 2008 City Council meeting. Three minor corrections were made.

Motion

Sid Young moved to approve the minutes of the February 19, 2008 City Council meeting, with changes as noted. **David Hale** seconded the motion, which passed by a unanimous vote. **Cory Ritz** abstained due to his absence at that meeting.

PRESENTATION OF SPECIAL LIFE SAVING AWARD TO DAVE QUINLEY, RICH LOVE, AND SCOTT KARREN (Agenda Item #3)

Police Chief **Wayne Hansen** commended Police Officer Dave Quinley and Firefighters Rich Love and Scott Karren for their resuscitation of 13-day-old Karleigh Cooper during an emergency medical call on September 25, 2007. He invited Kris Hansen, a Pediatric Trauma Coordinator for Primary Children's Hospital forward to participate in the presentation. She said the men saved the baby's life, and she read a poem.

Fire Chief Larry Gregory read a commendation letter from Police Sergeant , Parrish Snyder. Chief Gregory and Mayor Pro Tem **Rick Dutson** then commended the recipients, who were presented with Lifesaving medals.

SWEARING IN OF YOUTH CITY COUNCIL (Agenda Item #4)

Rick Dutson invited the leadership of the 2008-2009 Youth City Council to come forward to be introduced. The YCC leaders included:

YCC Mayor -	Natalie Selin
Director of Youth Citizenship -	Sydney Gibson
Chair of Publicity -	Alexis Wiscombe
Director of Volunteerism -	Emily Wahlstrom
Historian -	Katie Swanson
Treasurer -	Sharisa Pergler
Secretary -	Mareille Jewett
Parliamentarian -	Michelle Tiem
Sergeant at Arms -	Anthony King

Mr. Dutson introduced all YCC members, including Michelle Alder, Katherine Ashby, Laura Barfuss, Kephren Bernhisel, Marissa Brown, Becca Burnham, Allison Christensen, Mackenzie Court, Adam Creager, Tasha Fernley, Sidney Gibson, Haley Harbertson, Mareille Jewett, Anthony King, McKenzie Madsen, Jessica Mansell, Cait Miller, Alexa Nelson, Cody Nelson, Sharisa Pergler, Aubree Riley, Natalie Selin, Elli Slagowski, Katie Swanson, Michelle Tiem, Ty Toronto, Jen Torres, Emily Wahlstrom, Tia Wesche, Julianne Wirthlin, and Alexis Wiscombe.

Rick Dutson administered the Oath of Office to the YCC members. YCC Mayor Natalie Selin joined the Council.

Mr. Dutson announced that the Planning Commission report would be given later in the meeting.

[Planning Commission Chairman **Kevin Poff** arrived at the meeting at 9:05 p.m.]

PLANNING COMMISSION REPORT (Agenda Item #5)

Kevin Poff reported proceedings of the Planning Commission meeting held February 28, 2008. He covered the following items:

- The Planning Commission granted preliminary plat approval and recommended approval of the preliminary PUD master plan of the Northstar Homes development.
- The Woodland Park proposal was approved by the Planning Commission, and Mr. Poff said the Commission had concerns about the distance of the restroom from activity areas of the Park.
- The Planning Commission recommended the amended development agreement for Station Park.
- The Shepard Heights request to amend Lot 41 was recommended by the Planning Commission.
- The Planning Commission recommended the creation of a bike lane on the frontage road.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE VACATING LOT 41 OF SHEPARD HEIGHTS SUBDIVISION AND APPROVAL OF AMENDED PLAT SHOWING LOT 41 INCLUSIVE OF A VACATED PORTION OF BELLA VISTA DRIVE. (Agenda Item #6)

Rick Dutson introduced this Agenda Item.

Public Hearing Opened

Rick Dutson opened the meeting to a public hearing at 7:23 p.m. There were no comments.

Public Hearing Closed

With no comments from the public, **Rick Dutson** closed the public hearing at 7:23 p.m. There was no further discussion.

Motion

David Hale moved to approve the amended plat, and to adopt Ordinance No. 2008 - 17 authorizing the Mayor to enter an order vacating and amending Lot 41 of the Shepard Heights Subdivision and directing that the same be recorded with the Davis County Recorder's Office. The motion was seconded by **Sid Young**, and passed unanimously.

Sid Young commented that this issue has been carefully considered. **Rick Dutson** said the Planning Commission needed to give a recommendation, which is why the issue was deferred to this meeting.

(PUBLIC HEARING): CONSIDERATION OF STATION PARK AMENDED DEVELOPMENT AGREEMENT WITH STATION PARK/CENTERCAL DEVELOPMENT (CONTINUED). (Agenda Item #7)

Rick Dutson stated that this item was not yet ready for approval.

Motion

Sid Young moved to continue the hearing date and time for the Station Park amended development agreement until the March 18, 2008 City Council meeting. The motion was seconded by **David Hale**, and passed unanimously.

LOT LINE ADJUSTMENT REQUEST IN FARMINGTON GREENS SUBDIVISION. (Agenda Item #8)

Rick Dutson introduced this Agenda Item, and said that it had been discussed during the work session.

Motion

Paula Alder made a motion to approve the Request for a Lot Line Adjustment in the Farmington Greens Subdivision. **Cory Ritz** seconded the motion, which passed by a unanimous vote.

REQUEST BY CENTERVILLE CITY FOR CENTERVILLE/FARMINGTON FRONTAGE ROAD BIKE LANE PLAN. (Agenda Item #9)

Rick Dutson introduced the proposal to create a bike lane on the frontage road. **Max Forbush** said that the Planning Commission has reviewed this issue and concurs with Centerville's request. He proposed that the request be put on the Capital Streets Master Plan and

Capital Facilities Plan when it is next amended in the near future. **David Hale** explained to the audience that this improvement will increase public safety. **Rick Dutson** added that it will connect Centerville and Farmington.

Motion

David Hale moved to direct the City Manager to add the creation of a bike lane to the Master Streets Plan and to the Capital Facilities Plan the next time the plan is amended. **Paula Alder** seconded the motion, which passed by a unanimous vote.

It was clarified that a public hearing will be held on this proposal. In response to a question by **Sid Young**, **Rick Dutson** said the estimated costs were provided by Centerville, and will be verified by Farmington City.

CONCEPTUAL PLAN FOR PUBLIC WORKS/PARKS AND RECREATION SITE INCLUDING METAL REPLACEMENT BUILDING AND SALT STORAGE SHED. **(Agenda Item #10)**

Rick Dutson introduced this Agenda Item. **Max Forbush** said that Station Park wants to acquire from the City approximately one acre located on the west of the shop site. Part of the acquisition includes the Parks storage building. The value of both has been established at approximately \$550,000. CenterCal needs the building removed as soon as possible. The City Manager presented a revised site plan of the new shop area including additional property proposed for purchase from Chris Nielsen and from UDOT (the old Public Works building).

Mr. Forbush said there has been previous discussion regarding the acquisition of the old city shop building from the State, and the attempt to acquire from the Niensens 6500 square feet of property located east of the city shop property. The City needs to use some of the proceeds from the purchase by CenterCal to build a heated storage shed. It has been suggested that constructing a metal building will provide twice the space of the old masonry building. The proposal also includes a salt storage shed. **Mr. Forbush** illustrated the location of the storage sheds. He said he previously supplied budgetary figures to the Council.

Mr. Forbush said it is expected that the Niensens will be agreeable to the proposal. If the Council approves, the City will gather specifications and solicit bids. **Rick Dutson** said he had initial concern about using metal, but decided that metal will allow for a larger space, and that earthen berms and landscaping can help obscure the site from view. Public Works representative **Walt Hokanson** agreed that the location of the proposed metal building would have minimal visibility.

Sid Young raised the issue of using facade panels over the metal. **Mr. Hokanson** said the

appearance of metal has improved over the last ten years.

Motion

Cory Ritz moved to authorize the City Manager to move forward in the acquisition of the Nielsen property. The motion was seconded by **David Hale** and passed unanimously.

Motion

Cory Ritz made a motion to authorize the City Manager to move forward in obtaining bids to permit the replacement of the Public Works cinder block building with an attached salt shed. **David Hale** seconded the motion, which passed by a unanimous vote.

REPORT FROM MUSEUM COMMITTEE - ANNETTE TIDWELL. (Agenda Item #11)

Max Forbush introduced this matter, and explained that Museum Director **Annette Tidwell** was approached about temporarily moving the museum function to a City-owned house to allow the Planning Department to occupy the museum while new City offices are being constructed. He said **Ms. Tidwell** was present to offer the Museum committee's response.

Rick Dutson expressed appreciation for those who participate in running the museum, and invited **Annette Tidwell** to come forward.

Ms. Tidwell read verbatim from a February 29, 2008, letter to the Mayor, City Manager, and City Council members, expressing the Museum committee's objections to the proposal. The letter is included as "Exhibit A" at the end of these minutes.

Rick Dutson said the City is looking at alternative options, which can't yet be publicized. **David Hale** commended **Ms. Tidwell** for her presentation.

Motion

David Hale moved that the museum not be considered as a site for relocation of City employees during construction of new City offices; that a maximum of \$5,000 be spent for City Staff through the Down Town Master Plan consultant to study the City Hall pros and cons other to consider other alternative sites; and to further evaluate the placement of temporary portable buildings next to the existing City Hall. **Sid Young** seconded the motion, which passed unanimously.

Cory Ritz said that portables are a temporary solution and that a permanent solution is much preferable if funding is available. **Sid Young** commended the Museum and its volunteers

for their work.

CULINARY WELL SITING DRAFT REPORT. (Agenda Item #12)

Rick Dutson invited **Max Forbush** to review this Item. **Mr. Forbush** stated that it's important for the City to put its water rights to use so they are not lost. City Engineers recommend drilling a production well after drilling an exploratory well. Environmental laws are much stricter than in past years, so costs are substantially higher than anticipated. The estimates run approximately \$250,000 for an exploration well, which is more than what was budgeted.

Mr. Forbush said that City Engineers have evaluated a number of potential well sites. The City owns land in the Quail Cove area, which is recommended as an ideal location. If funding and exploratory efforts are successful, then the plan is to build a production well. Although estimated costs are significant, it is important to recall the expense associated with rehabilitating the Woodland Park Well #2. The option of the City having its own culinary water wells is more cost effective than using water from the Weber Basin Water Conservancy District, whose rates are significantly higher.

Mr. Forbush said that most cities in north Davis County are almost exclusively on Weber Basin water, of which Farmington uses only a small part. Most City water is produced through wells. **Mr. Forbush** recommended authorizing staff to evaluate the financial feasibility of exploratory drilling.

Rick Dutson said that drilling a well now is forward thinking, and preferable to doing it in the future. **Mr. Forbush** said the City is sixty percent built out, and that there will be a forty percent increased need for water to accommodate growth. City Engineers have said it's important also to have a redundant water supply when one well needs repair.

In response to questions by **David Hale** and **Sid Young**, **Mr. Forbush** clarified issues of projected well depth, proposed drilling locations, and access. **Mr. Forbush** referred to the packet map of the proposed drilling sites and said that the northernmost site is on City-owned land and would be preferable.

Motion

Cory Ritz moved to authorize City Staff to perform a financial feasibility evaluation for drilling and equipping an exploratory and production well. **Paula Alder** seconded the motion, which passed unanimously.

MINUTE MOTION APPROVING SUMMARY ACTION LIST. (Agenda Item #13)

- **Ratification of approvals of Construction Bond Agreements.**
- **Approval of January disbursement list.**
- **Approval of Public Improvements Extension Agreement with Brennon and Melinda Rasmussen.**
- **Approval of FY09 Budget Review Schedule.**
- **Approval of City Manager's recommendation on permit fees for Police building.**

Rick Dutson reminded the Council about the upcoming Budget Review and said that the dates were critical and should be reviewed by Council members.

Referring to the Approval of the recommendation to waive certain permit fees for the proposed Police building, **Sid Young** pointed out that the City pays the same fees that are required of other developers.

Motion

Sid Young made a motion to approve the Summary Action List. The motion was seconded by **Cory Ritz** and approved unanimously.

"WE FIVE"/CITY AMENDED AGREEMENT EXTENDING COMPLETION DATE OF 1525 WEST WATER LINE AND WATER SERVICE LATERAL TO WAYNE FRECKLETON PROPERTY IN WEST FARMINGTON. (Agenda Item #14)

Rick Dutson introduced this Agenda Item. **Max Forbush** referred to the documents in the Council packet with regard to this issue and said the Agreement is necessary for the City to acquire water rights at the end of a ditch in West Farmington, which is creating a safety hazard for a new subdivision.

Mr. Forbush said there has been much contention with this matter, and the solution is for the City to acquire Wayne Freckleton's water rights in exchange for providing his culinary water needs. He has signed the deed and the amended agreement. The recording of the deed is contingent upon the Council approving the amended agreement, which extends the completion date of the project. The 10" water line was extended south along 1525 to Mr. Freckleton's property and a service lateral has been installed through his property to his barn. It has been too muddy to complete the project.

Motion

Paula Alder moved to approve the Amended Agreement, and authorizing the Mayor to sign it. **David Hale** seconded the motion, which passed by a unanimous vote.

**RESOLUTION AMENDING MONTHLY STORM WATER UTILITY RATE,
INCREASING THE SAME FROM \$6.00 TO \$7.00 PER MONTH. (Agenda Item #15)**

Rick Dutson briefly reviewed this item.

Motion

Sid Young moved to approve Resolution No. 2008 - 18 amending the Farmington City storm water utility fee and the City's uniform fee schedule from \$6.00 to \$7.00 per month. **David Hale** seconded the motion, which passed unanimously.

**AUTHORIZATION TO MOVE FORWARD ON WOODLAND PARK
IMPROVEMENTS. (Agenda Item #16)**

Max Forbush said a proposed course of action for Woodland Park was handed out during the work session. City Staff would like authorization for funding from the Capital Facilities Plan to do Phase 1 of the improvements, which include a paved two-way access road, parking space, soccer fields, a restroom, a picnic bowery, and work on the stage. The Planning Commission has approved the Master Plan.

[**Sid Young** stepped out of the room momentarily.]

Cory Ritz clarified that only one picnic bowery is being currently considered. **David Hale** commented that caution should be exercised to preserve as many trees as possible when the road is being constructed.

Motion

Sid Young made a motion to approve Phase 1 in the expenditure of \$140,000 for the Woodland Park improvements. The motion was seconded by **Paula Alder**, and passed by a unanimous vote.

Sid Young suggested turning the stage toward the hills at a future date to create an amphitheater for improved acoustics.

MAYOR SCOTT C . HARBERTSON'S REPORT (Agenda Item #17)

Mayor Harbertson was not present to give a report.

CITY COUNCIL REPORTS (Agenda Item #18)

Paula Alder reported that attendance at past Senior Nights has been very poor, despite the significant time and effort spent toward these events. She suggested that an advertisement for a Senior committee be placed in the City newsletter so Seniors can plan their own activities. The Council was agreeable to this proposal.

Ms. Alder reported on the Communications meeting she attended. It was pointed out in the meeting that human interest stories in the Farmington newsletter are too lengthy, leaving insufficient room for other announcements and advertising of events.

Ms. Alder asked Council members to confirm their commitment to participate in the Youth City Council retreat scheduled for April 25th. **Sid Young, Max Forbush, and Rick Dutson** all stated that fifteen minutes will be sufficient time for each of their presentations. **Mr. Young** said that he will need video equipment. **Cory Ritz** said he would contact **Ms. Alder** to discuss his participation.

Dave Hale said the letter from **Max Forbush** and Mayor Harbertson to Senator Hatch regarding the post office was well written. **Mr. Hale** said meetings would be held with Congressman Bishop and a representative from Senator Hatch's office during the League of Cities and Towns convention in Washington D.C. **Mr. Hale** also reported on a conversation he had with retired Congressman Jim Hansen.

Rick Dutson asked for a volunteer to replace Mayor Harbertson at the March 5th Town Hall meeting. **Mr. Dutson** also reported on the meeting with the Farmington Ranches HOA. He noted the importance of ensuring that all community members know their concerns are important to the City, regardless of whether City leaders live in that community or not.

Sid Young reported on the League of Cities and Towns Policy Committee meeting, and updated the Council on House Bill 51 and Senate Bill 279 regarding water. He stated that contact with legislators regarding forms of government needs to be maintained. **Mr. Young** also mentioned Senate Bill 181 dealing with OHV's on city roads, and the Council briefly discussed this issue.

Cory Ritz reported on the Parks and Recreation Committee meeting, and said that he is impressed with the leaders of FABL (Farmington Area Baseball League) for their willingness to work with the City.

Mr. Ritz also reported that he has had many concerns expressed from citizens about the

eminent domain bill and the apparent targeting at Farmington. He asked **Rick Dutson** and **David Hale** to do what they can about this when they attend the League of Cities and Towns convention. There was Council discussion on this topic. **Dave Hale** stated that he was advised by Congressman Hansen to approach Greg Bell with the matter, because grass roots efforts will more likely reach UDOT directly.

MISCELLANEOUS (Agenda Item #19)

Miscellaneous

a. Miscellaneous Items

- **Schedule future joint meeting with Planning Commission to discuss strategy regarding Legacy North to Legacy Highway connection.**

It was proposed that a joint meeting with the Planning Commission be held March 13th, 2008 at 5:00 p.m. All Council members said they could probably attend.

Custom Fence Estimate Discussion

Max Forbush distributed a copy of a bill from Custom Fence regarding the installation of a fence on the concrete barrier for the Shepard Lane overpass. **Mr. Forbush** said that UDOT is requiring lane closures during this procedure. There is a budget of \$25,000, which should cover all costs.

Sid Young raised the issue of striping the road for safety purposes, which was briefly discussed. **Rick Dutson** suggested obtaining an additional price quote on the fence. **Mr. Forbush** said that the City has had successful experience with Custom Fence in the past, and that projects this low in cost are not mandated to meet State bidding requirements. **Paula Alder** noted that the lowest bid does not always produce the best job.

Motion

David Hale made a motion to explore additional bidding options, but to leave it to the discretion of the City Manager. **Sid Young** seconded the motion, which passed by a vote of 3 to 1, with **Paula Alder** voting in the negative.

Ms. Alder explained that she would prefer to have the City Manager go forward immediately with Custom Fence.

ITEMS OF GENERAL CORRESPONDENCE (Agenda Item #20)

Max Forbush called attention to an email in the Council packet which raises problems with prior owners' "first right of refusal" when UDOT has surplus property. The Council discussed this issue.

CITY COUNCIL CLOSED SESSION

Motion

Cory Ritz made a motion for the City Council to enter into a closed session at 8:55 p.m. for the purpose of the acquisition of real property. The motion was seconded by **Paula Alder**, and unanimously approved.

Motion

Sid Young moved to return to an open session of the City Council at 9:10 p.m. **Paula Alder** seconded the motion, which passed unanimously.

[**Kevin Poff** arrived and presented the Planning Commission report.]

ADJOURNMENT

David Hale moved to adjourn. The meeting adjourned at 9:23 p.m.

Holly Gadd, Deputy City Recorder
Farmington City